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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,981	09/19/2003	Harold R. Garner	59859 (49157)	5373

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EXAMINER

LU, CHARLES EDWARD

ART UNIT PAPER NUMBER

2163

DATE MAILED: 10/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. **Claims 1-34, 45-61, 64, 68, 69, 109-112, 127-138, and 151**, drawn to data mining and knowledge discovery, and creating a comprehensive network of relationships, classified in class 707, subclass 101.
 - II. **Claims 76-90, 97-100, and 150**, drawn to application of a data structure and database, classified in class 707, subclass 103.
 - III. **Claims 35-44, 45-61, 64, 68, 69, 71-75, 113, 151, and 152** drawn to identifying indications and side effects of a drug, and identifying diseases, chemical compounds, or biomolecules, classified in class 702, subclass 19.
 - IV. **Claims 62, 63, 65, 66, 67, 70, 91-96, 101-108, and 139-149** drawn to identifying strength of relationships using statistically bounded network models, classified in class 707, subclass 102.
 - V. **Claims 114-123**, drawn to methods of treating various diseases, classified in class 424, subclass 1.11.
 - VI. **Claims 124-126, and 151**, drawn to identification of nucleic acid sequences, classified in class 702, subclass 20.
2. The inventions are distinct, each from the other because of the following reasons:

Inventions I - VI are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable.

In the instant case, invention I has separate utility such as data mining and knowledge discovery, and creating a comprehensive network of relationships.

Invention II has separate utility such as application of a data structure and database.

Invention III has separate utility such as identifying indications and side effects of a drug, and identifying diseases, chemical compounds, or biomolecules

Invention IV has separate utility such as identifying strength of relationships using statistically bounded network models.

Invention V has separate utility such as treating various diseases.

Invention VI has separate utility such as identification of nucleic acid sequences.

3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper. Furthermore, there would be a serious burden on the examiner if restriction were not required (see MPEP §803.02, §808, and §808.02).

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4. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement is traversed (37 CFR 1.143).

5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E. Lu whose telephone number is (571) 272-8594. The examiner can normally be reached on 8:30 - 5:00; M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CL
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9/28/2006



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